

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

KEITH L. NASH,

Plaintiff,

v.

BETHANY M. GRAVES,

Defendants.

CASE NO. C10-5338RJB

ORDER TO FILE A SECOND
AMENDED COMPLAINT

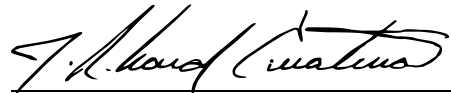
This 42 U.S.C. § 1983 Civil Rights action has been re-referred to the undersigned Magistrate Judge pursuant to Title 28 U.S.C. §§ 636(b)(1)(A) and (B) and Local Magistrate Judges' Rules MJR 1, MJR 3, and MJR 4. Plaintiff was granted in forma pauperis status and allowed to proceed with a claim relating to the opening of his mail and access to courts (Dkt. # 11). Plaintiff was given leave to file an amended complaint addressing those issues. The amended complaint was filed September 16, 2010 and includes causes of action relating to the search and seizure of plaintiff's cell phone. The amended complaint does not comply with the court's order allowing the case to proceed.

The court now orders plaintiff to file a second amended complaint that complies with the order issued September 8, 2010. The document will be entitled "Second Amended Complaint"

1 and will act as a substitute for all other complaints. No issues other than the opening of
2 plaintiff's mail and the access to courts in his social security action will be included in this
3 complaint.

4 Failure to comply with this order will result in sanctions, which may include monetary
5 sanctions and a Report and Recommendation that this action be dismissed. Plaintiff has until
6 October 29, 2010 to comply with this order.
7

8 DATED this 28th day of September, 2010.
9

10 

11 J. Richard Creatura
12 United States Magistrate Judge
13
14
15
16
17
18
19
20
21
22
23
24
25
26